



WEB COPY



W.P.No.12039 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.12039 of 2020

R.Soundarajan

.. Petitioner

Vs

- 1 The Collector
Salem Collectorate
Kottai Main Road
Salem – 636 001.
- 2 The Revenue Divisional Officer
Sankari Taluk Sankari Salem District.
- 3 The Tahsildar
Sankari Taluk Sankari Salem District.
- 4 The Superintending Engineer
Highways (Building and Maintenance)
Omalur Main road Salem - 636302
- 5 The Superintending Engineer
TANGEDCO
Salem, Salem District.
- 6 N.Periannan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India



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seeking issuance of a writ of mandamus directing to consider the representation by the 1st respondent and stop water drawing from the illegal well situated at Thevur Village, Sangagiri Taluk, Salem District, Sarabanga River bed and dispose the same.

For the Petitioner : Mr.T.Sivagnanasambandan

For the Respondents : Mr.Abishek Murthy
Government Advocate
for respondents 1 to 4

: Mr.P.Valliappan
Senior Counsel
for M/s.P.V.Law Associates
for 6th respondent

: Mr.I.Syed Sibghatulla
for 5th respondent

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.T.Sivagnanasambandan, learned counsel for the petitioner; Mr.Abishek Murthy, learned Government Advocate for respondents 1 to 4; Mr.I.Syed Sibghatulla, learned counsel for the fifth respondent; and, Mr.P.Valliappan, learned Senior Counsel for M/s.P.V.Law Associates for the sixth respondent.



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2. It is submitted that a representation has been given to the first respondent to stop drawing water illegally from the well situated in Thevur Village. The sixth respondent has no permission. It is further submitted that the Tahsildar has informed the petitioner that no permission has been obtained by the sixth respondent.

3. An affidavit is filed by the fourth respondent. It is stated that the Divisional Engineer, Highways Department, has issued the permission letter dated 6.6.2020 with 18 conditions for laying the pipelines. The officials of the Highways Department have granted permission on 6.6.2020 after receiving the restoration charges to lay the pipeline. The affidavit further states that there is no prohibition for transportation of water through pipeline for agricultural purpose. Along with the sixth respondent, four other persons also sought permission and they were granted permission.

4. In view of the affidavit filed by the fourth respondent, no further orders need be passed in the writ petition. The petitioner has already filed a representation. The authority concerned may



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consider the representation on its own merits.

The writ petition is disposed of accordingly. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

16.02.2024

Index : Yes/No
Neutral Citation : Yes/No
sasi

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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

(sasi)

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